



Ohio Administrative Code

Rule 5101:12-60-50.1 Administrative termination investigation, findings and recommendations, and impounding support.

Effective: May 1, 2024

(A) Administrative termination investigation.

(1) The child support enforcement agency (CSEA) will complete an administrative termination investigation and issue findings and recommendations regarding whether the child support order should terminate within twenty days of the date the CSEA is notified by either the obligee or obligor or becomes aware that:

(a) An administrative termination reason as described in paragraph (C) of rule 5101:12-60-50 of the Administrative Code has occurred or is expected to occur on a certain date;

(b) An administrative termination reason described in paragraph (E) of rule 5101:12-60-50 of the Administrative Code exists and the CSEA elects to proceed with the administrative termination process.

(2) During the administrative termination investigation, the CSEA will determine:

(a) Whether any administrative termination reason exists.

When the CSEA investigation results indicate that any of the administrative termination reasons do not exist, the CSEA will issue a JFS 07521, "Results of Support Order Termination Investigation" (effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code), to the last known address of the person who requested the termination of the child support order.

(b) Whether there are other minor children subject to the child support order.

When the CSEA determines that there are other minor children subject to the child support order, the CSEA will calculate a revised amount of child support and cash medical support for the other minor children as follows:



(i) When the child support order is computed using a sole residential parent or shared parenting computation worksheet, divide the child support and the cash medical support due annually or monthly under the order by the number of children who are the subject of the order; then, subtract the amount due for the child for whom the order should be terminated from the total child support and cash medical support amount due annually or monthly.

(ii) When the child support order is computed using a split parental rights computation worksheet:

(A) The CSEA will divide the annual or monthly obligation for the non-residential parent of the child for whom support is being terminated by the number of children in the other party's custody contained on the existing child support guidelines worksheet. Next, subtract the amount due for the child for whom the order should be terminated from the total child support amount due annually or monthly under a revised child support payment order. This revised amount of support will then be offset against the other party's support obligation to calculate the revised child support for inclusion in the order. The calculation may result in a new obligor for payment of the child support order.

(B) If the calculation in paragraph (A)(2)(b)(ii)(a) of this rule results in a new child support obligor this individual also becomes the cash medical obligor: if the obligor has not changed this paragraph still refers to the existing cash medical obligor. When cash medical support has been ordered the CSEA will compare the cash medical obligor's cash medical support maximum from the existing child support guidelines worksheet with the current United States department of agriculture (USDA) table for the number of children in the other party's custody. The CSEA will use the lesser amount as the obligation for cash medical support.

(c) Whether the obligor owes any arrears or other balances.

(d) Whether the CSEA believes it is necessary to continue income withholding or income deduction for the other minor children or arrears payment.

(e) Whether amounts paid pursuant to the child support order being investigated should be impounded because the continued receipt and disbursement would lead to an overpayment by the obligor to the obligee.



(f) Whether an overpayment has been made to the obligee, the Ohio department of job and family services (ODJFS), the Ohio department of medicaid (ODM), a public children services agency (PCSA), or the CSEA.

(B) Findings and recommendations for an administrative child support order.

(1) When the child support order is an administrative child support order and the administrative termination investigation results indicate that an administrative termination reason exists, the CSEA will:

(a) Prepare the JFS 07522, "Findings and Recommendations to Terminate the Administrative Child Support Order" (effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code);

(b) File the JFS 07522 with the administrative child support record;

(c) Issue copies of the JFS 07522 to the obligee and obligor at their last known addresses; and

(d) When the obligee or obligor are deceased and the CSEA has identified that an action has been commenced to probate the estate of the decedent, issue a copy of the JFS 07522 to the administrator or executor of the estate.

(2) When the CSEA determines that ODJFS, ODM, a PCSA, or the CSEA has been or will be overpaid by the obligor, the CSEA will recommend that the amount overpaid be disbursed to the appropriate person.

(C) Findings and recommendations for a court child support order.

(1) When the child support order is a court support order and the administrative termination investigation results indicate that an administrative termination reason exists, the CSEA will:

(a) Compile findings and recommendations .



(b) Issue or request the clerk of courts to issue copies of the findings and recommendations to the obligor and obligee at their last known addresses; and

(c) When the obligee or obligor are deceased and the CSEA has identified that an action has been commenced to probate the estate of the decedent, issue a copy of the findings and recommendations to the administrator or executor of the estate.

(2) Include in the findings and recommendations a finding that states the reason for which the child support order and medical support provisions should terminate, a recommendation that the child support order and medical support provisions be terminated, and the effective date of the termination of the child support order and medical support provisions. In addition, the CSEA will include in the findings and recommendations the following:

(a) When there are other minor children subject to the order:

(i) A finding of whether the child support order should continue for other minor children subject to the order; and

(ii) When the CSEA finds that the child support order should continue, a recommendation that the child support order should continue for the other minor children and, in accordance with paragraph (A)(2)(b) of this rule, the amount of child support that should be paid for the other minor children.

(b) When continued payment and disbursement of payments paid pursuant to the child support order that will be terminated will likely result in an overpayment or an increase in an existing overpayment:

(i) A finding that continued payment and disbursement of payments will likely result in an overpayment or increase an existing overpayment; and

(ii) A recommendation that the support be impounded and that all impounded funds be disbursed to the appropriate person by the CSEA after the child support order has been terminated.



(iii) When the CSEA determines that ODJFS, ODM, a PCSA, or the CSEA has been overpaid, the CSEA will recommend that the amount overpaid be disbursed to the appropriate person.

(c) When the obligor owes arrears or other balances:

(i) A finding of the amount of arrears or other balances owed by the obligor and the date of the calculation; and

(ii) A recommendation that the obligor be ordered to pay a monthly arrears payment amount that is compliant with sections 3121.36 and 3123.14 of the Revised Code, unless the obligor is deceased.

(d) When amounts are owed for other minor children or for a payment on arrears, other balances, or other obligations:

(i) A finding that amounts are owed for other minor children or for a payment on arrears, other balances, or other obligations; and

(ii) A recommendation to initiate or continue income withholding or deduction, unless the obligor is deceased.

(e) When amounts are not owed for other minor children or for a payment on arrears, other balances, or other obligations; or the obligor is deceased:

(i) A finding that amounts are not owed for other minor children or for a payment on arrears, other balances, or other obligations; or the obligor is deceased; and

(ii) A recommendation to terminate income withholding or deduction.

(f) When the obligee was overpaid:

(i) A finding that the obligee was overpaid, the amount the obligee was overpaid, and the date through which the overpayment was calculated; and



(ii) The CSEA may elect to include a recommendation that the obligee repay the amount the obligee was overpaid.

(g) The following statements:

(i) Both the obligor and obligee have the right to request an administrative hearing to object to the findings and recommendations contained in this notice. To request an administrative hearing, submit a written request for an administrative hearing to the CSEA. The obligor and obligee have fourteen days after the issuance of the notice containing the findings and recommendations to submit the written request for an administrative hearing to the CSEA. When the obligor or obligee requests an administrative hearing within fourteen days of the issuance of this notice, which contains the findings and recommendations, no revised court child support order will be issued.

(ii) When neither the obligor nor the obligee requests an administrative hearing to object to the findings and recommendations, the findings and recommendations will be submitted to the court for inclusion into a revised or terminated court child support order with no further court hearing.

(D) Impounding support.

(1) When the CSEA is aware that support is or may be overpaid or that the obligee or obligor is deceased, the CSEA will impound within the support enforcement tracking system support paid pursuant to the child support order.

(2) When the support order is an administrative child support order, the CSEA will use the JFS 07523, "Administrative Order to Impound Support"(effective or revised effective date as identified in rule 5101:12-60-99 of the Administrative Code).

(3) When the support order is a court support order, the CSEA will prepare an impound order and include in the impound order the following:

(a) The reason the support is being impounded; and

(b) The amount of support that is to be impounded.



(4) The CSEA will have copies of the impound order, or JFS 07523, as applicable, issued to:

(a) The last known addresses of the obligee and obligor.

(b) The administrator or executor of the decedent's estate when the obligee or obligor is deceased and the CSEA has identified that an action has been commenced to probate the estate of the decedent.